

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

&

THE HONOURABLE MRS. JUSTICE K.HEMA

FRIDAY, THE 22ND JUNE 2007 / 1ST ASHADHA 1929

WP(Crl.).No. 133 of 2007(S)

PETITIONER:

SATHYAN, S/O.GOVINDAN,
SARITHA BHAVAN, DHAVALAKUZHI, MAYYANAD CHERRI,
MAYYANADU VILLAGE, KOLLAM.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS:

1. DISTRICT SUPERINTENDENT OF POLICE,
KOLLAM.
2. THE CIRCLE INSPECTOR OF POLICE,
CHATHANNOOR, KOLLAM.
3. THE SUB INSPECTOR OF POLICE,
KOTTIYAM POLICE STATION, KOLLAM.
4. JYOTHI, KODUVILA VEEDU,
NADAYIL PADINJATTATHIL, DHAVALAKUZHI,
MAYYANADU, KOLLAM.
5. SAJU, KODUVILA VEEDU,
NADAYIL PADINJATTATHIL, DHAVALAKUZHI,
MAYYANADU, KOLLAM.

BY ADV. SRI.SUKUL KHADER
SRI.PEARSON S.FERNANDEZ
R1 TO R3 BY GOVT. PLEADER SRI. P.A. SALIM

THIS WRIT PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD
ON 22/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

P.R. RAMAN & K. HEMA, JJ.

W.P.(Crl.).No.133 of 2007

Dated this the 22nd day of June, 2007.

JUDGMENT

Raman, J.

This is a Habeas Corpus petition. Petitioner's daughter, Sabitha, was found missing from 25.5.2007. The petitioner believes that the whereabouts of his daughter is known to respondents 4 and 5. Notice was issued to respondents and also directed that the girl be traced out and produced. Accordingly, the girl is produced by the police. The Government Pleader, on instructions, submits that the girl was produced before the judicial First Class Magistrate Court-II, Kollam and her statement was recorded.

2. On interaction with the alleged detenu Sabitha, she told us that she is now residing in the house of Shafeer, S/o. of Sulaiman and the 'thalikettu' ceremony was already conducted at the mosque and arrangements are made for their marriage on 5th July, 2007 at the same mosque. She submitted that she is not in illegal custody of anybody and she is a free person. In the writ petition, it is stated that petitioner's daughter is aged 18 years. In the circumstances, she is set free.

3. Even though in the cause list, the number of the case was shown as writ petition (civil), since the girl was produced with the permission by the Addl. Director General of Prosecution, we sent for the counsel and, accordingly, the case was taken up and orders passed after hearing him.

P.R. RAMAN, JUDGE.

K. HEMA, JUDGE.

Krs.